

**SEP-04 mm**

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In re Application of ANTEBI et al
U.S. Application No.: 09/806,789
Int. Application No.: PCT/IL99/00525
Int. Filing Date: 04 October 1999
Priority Date: 02 October 1998
Attorney Docket No.: 100/02139
For: CARD FOR INTERACTION WITH
A COMPUTER

NOTIFICATION

This application is before the PCT Legal Office for consideration of issues arising under 35 U.S.C. 371.

BACKGROUND

On 04 October 1999, applicants filed international application PCT/IL99/00525, which claimed priority of an earlier Israel application filed 02 October 1998. A copy of the international application was communicated to the USPTO from the International Bureau on 13 April 2000. A Demand for international preliminary examination, in which the United States was elected, was filed on 27 April 2000, prior to the expiration of nineteen months from the priority date. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 02 April 2001.

On 02 April 2001, applicants filed national stage papers in the United States. The submission was accompanied by, *inter alia*, an authorization to charge the basic national fee required by 35 U.S.C. 371(c)(1) and an unexecuted declaration.

On 23 May 2001, the United States Designated/Elected Office (DO/EO-US) mailed a Notification of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO 903), which indicated that the international application has met the requirements of 35 U.S.C. 371.

DISCUSSION

Because the declaration was not executed, the Notification of Acceptance of Application Under 37 U.S.C. 371 was mailed in error.

CONCLUSION

For the reasons above, the Notification of Acceptance of Application Under 35 U.S.C. 371 (Form PCT/DO/EO/903) mailed 23 May 2001 is hereby VACATED.

The application will be forwarded to the DO/EO/US for processing in accordance with this decision, including the preparation and mailing of a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), indicating that an oath or declaration in compliance with 37 CFR 1.497 must be filed along with a surcharge under 37 CFR 1.492(e) for providing the oath or declaration later than thirty (30) months from the priority date.

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